

All enquiries to Health Services on 9526 1111
Our ref: SJ1525-03:P05577/03:TT:cc
Electronic ref: OC15/18832



Shire of
Serpentine
Jarrahdale

Sustainable. Connected. Thriving!

30 September 2015

Hon. Simon O'Brien MLC Chairman of the Standing Committee
on Environment and Public Affairs
c/o LC Committee Office
GPO Box A11
PERTH WA 6837

Dear Sir

**Environment and Public Affairs Committee - 39th Parliament
Bio Organics - Petition Number 59, Tabled 16 September 2014
Supplementary Submission**

Following the hearing and questions at the Standing Committee on Environment and Public Affairs on 23 September 2015, the Shire of Serpentine-Jarrahdale (the Shire) offers the Chairman of the Committee the following supplementary information in response to questions taken on notice.

As I recall, the primary question taken on notice by the Shire was regarding the date that the original development approval expired, and secondly, when did the Shire realise that the approval had expired?

While the Shire maintains that the Minister's approval period of 10 years is from the date of approval, namely 2 May 2001 (refer attachment 1), there is a case to be made that approval could be taken from the finalisation of the conditions by the Minister on 30 October 2001 (refer attachment 2). If the latter is considered, the approval expired 29 October 2011.

Regarding the question as to when the Shire realised that the development approval had expired, it is my understanding that it was as a result of information presented by a resident. While there is no record of the date the Shire was told, it would have been after the submission of the Form 1 Application for Approval dated 6 February 2013, and before Bio Organics receiving notification from Shire's lawyers on 11 April 2013 stating the Shire's position regarding unlawful use (refer attachment 3).

Further to these questions on notice, the Committee Chairman also asked for information about the mechanisms the Shire has subsequently put in place to avoid further similar situations. I am pleased to inform the Chairman that the Shire has extended its administration systems to include registration of time limited approvals, and added workflows with action dates relevant to these types of approvals.

The Shire hopes that this supplementary information adequately answers the questions taken on notice, and looks forward to assisting the Committee's Inquiry wherever possible.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Gorbunow'.

**Richard Gorbunow
Chief Executive Officer**